

## REMARKS

In accordance with the foregoing, claims 1, 5-7, and 10-21 have been amended. Claims 2 and 8-9 have been cancelled, without prejudice or disclaimer.

Claims 1, 3-7, and 10-21 are pending and under consideration.

### **REJECTION UNDER 35 U.S.C. § 102:**

*In the Office Action, at page 2, claims 1, 3, 4, 5, 7, 8, 9, 10, and 13 are rejected under 35 U.S.C. § 102 in view of U.S. Patent No. 4,949,253 to Chigira et al. ("Chigira"). This rejection is traversed and reconsideration is requested.*

Chigira generally provides an automatic program generation apparatus in a computer program development support system which includes an input unit for inputting data declaration and input information relating to manner of use of data, a memory unit for storing a plurality of program part prototypes each including modifiable information, and a processing unit for generating program parts from the program part prototypes. See column 1, lines 40-60. However, Chigira fails to teach or suggest, "an analyser that analyzes said resolution logic included in said model program in said data structure resolution unit corresponding to the selected data structure," as recited in independent claim 1. Rather, Chigira generally provides that the input information is analyzed, one of the program part prototypes stored in the memory unit is selected in accordance with the analysis, and the selected program part prototype is modified in accordance with the analysis to generate a program. See column 1, line 40, to column 2, line 14.

Further, Chigira is silent as to teaching or suggesting, "an analyser that ... prompts a user to input said resolution information for said resolution logic based on the analysis," as recited in independent claim 1. Rather, the program part prototype for the required operation in Chigira is prepared and the program part prototype is modified in accordance with the variable name, type and size of the data to generate the program. As a result, only the operation method, which conforms to the nature of data, is generated. See column 1, lines 60, to column 2, line 7. When the program part prototype is modified (macro substitution), not only simple substitution of macros but also conditional substitution and repetitive substitution can be performed.

Thus, Chigira fails to teach or suggest all the recitations of independent claim 1. Because independent claims 5 and 7 include similar claim features as those recited in independent claim 1, although of different scope, the arguments presented above supporting the

patentability of independent claim 1 are incorporated herein to support the patentability of independent claims 5 and 7. It is respectfully requested that independent claims 1, 5, and 7, and related dependent claims be allowed.

**REJECTION UNDER 35 U.S.C. § 103:**

*In the Office Action, at page 6, claims 2 and 6 are rejected under 35 U.S.C. § 103 in view of Chigira and U.S. Patent No. 6,257,774 to Stack ("Stack"). The rejection is traversed and reconsideration is requested.*

The arguments presented above are incorporated herein to support the patentability of claim 6/5 over Chigira. Stack generally provides a comprehensive design, generation maintenance and documentation of independent, functionally targeted application programs.

However, similarly to Chigira, Stack fails to teach or suggest, "analyzing said **resolution logic included in said model program** in said data structure resolution unit corresponding to the selected data structure; and **prompting a user to input** said resolution information for said resolution logic **based on a result of said analysing**," emphasis added, as recited in independent claim 5. Stack limits its scope to a system 10 that operates to acquire and construct application structure and sequences 12 that correspond to a particular application program through the application of user input 14 **optionally** in combination with the utilization of sequence specifying objects 16. Emphasis added. See column 5, lines 24-28. A user input is not prompted in Stack "for said resolution logic **based on a result of said analysing**," emphasis added, as recited in independent claim 5. Thus, even assuming, arguendo, that Chigira and Stack were combined, a combination thereof would fail to teach or suggest all the recitations of independent claim 5.

It is respectfully requested that independent claim 5 and related dependent claim 6 be allowed.

*In the Office Action, at page 7, claims 11 and 14 are rejected under 35 U.S.C. § 103 in view of Chigira and U.S. Patent No. 5,212,634 to Wahizaki ("Wahizaki"). The rejection is traversed and reconsideration is requested.*

The arguments presented above are incorporated herein to support the patentability of claims 11/5 and 14/5 over Chigira. Wahizaki generally provides a file for storing the definition of an input/output specification of an object program, table generating means for generating a term table for input and output item terms in accordance with the information of the defined

input/output specification, check means for checking each output term in the term table with each input term therein and deriving an identical item term, and generating and outputting means responsive to an output from the check means for automatically generating a posting process program for the identical item term and outputting it. See column 1, lines 36-67.

Similarly to Chigira, nowhere in Wahizaki is there a teaching or suggestion of “analyzing said **resolution logic included in said model program** in said data structure resolution unit corresponding to the selected data structure; and **prompting a user to input** said resolution information for said resolution logic **based on a result of said analysing**,” emphasis added, as recited in independent claim 5. Wahizaki limits its scope to a method of and apparatus for automatically generating programs with improved productivity. A user input is not prompted in Wahizaki “for said resolution logic **based on a result of said analysing**,” emphasis added, as recited in independent claim 5. Thus, even assuming, arguendo, that Chigira and Wahizaki were combined, a combination thereof would fail to teach or suggest all the recitations of independent claim 5.

It is respectfully requested that independent claim 5 and related dependent claims be allowed.

*In the Office Action, at page 8, claims 12, 16, and 17 are rejected under 35 U.S.C. § 103 in view of Chigira and U.S. Patent No. 5,331,546 to Webber (“Webber”). The rejection is traversed and reconsideration is requested.*

The arguments presented above are incorporated herein to support the patentability of claims 12/5 and 16-17/5 over Chigira. Webber generally provides a travel planner system automatically constructs itineraries with available seats for a traveler's trip request which conform to pre-stored reasonableness standards which include a satisfactory check on whether a connecting flight distance exceeds that of a possible direct flight by a preset distance or ratio. See abstract.

Similarly to Chigira, nowhere in Webber is there a teaching or suggestion of “analyzing said **resolution logic included in said model program** in said data structure resolution unit corresponding to the selected data structure; and **prompting a user to input** said resolution information for said resolution logic **based on a result of said analysing**,” emphasis added, as recited in independent claim 5. Webber limits its scope to the system finding the fares in a process which includes constructing sum-of-segments fares for each such itinerary which are valid under all the applicable airline tariffs and rules, finds itinerary-with-fare combinations

acceptable in terms of cost and convenience to the traveler in accordance with an individualized travel policy of the traveler, and displays at least some of the itineraries by departure or arrival time. A user input is not prompted in Webber “for said resolution logic **based on a result of said analysing**,” emphasis added, as recited in independent claim 5. Thus, even assuming, arguendo, that Chigira and Webber were combined, a combination thereof would fail to teach or suggest all the recitations of independent claim 5.

It is respectfully requested that independent claim 5 and related dependent claims be allowed.

*In the Office Action, at page 9, claims 18, 20, and 21 are rejected under 35 U.S.C. § 103 in view of Chigira and U.S. Patent No. 5,850,516 to Schneier (“Schneier”). The rejection is traversed and reconsideration is requested.*

The arguments presented above are incorporated herein to support the patentability of claims 18/5 and 20-21/5 over Chigira. Schneier generally provides method and apparatus for the creation of a database tool to rigorously analyze the security of a system in a formal yet flexible manner. See column 3, lines 4-67. Once created, the structure is provided with details of the information system, and uses the inputted parameters to evaluate the overall security of the system.

However, similarly to Chigira, nowhere in Schneier is there a teaching or suggestion of “analyzing said **resolution logic included in said model program** in said data structure resolution unit corresponding to the selected data structure; and **prompting a user to input** said resolution information for said resolution logic **based on a result of said analysing**,” emphasis added, as recited in independent claim 5. Schneier limits its scope to the database using a tree-based structure (an attack tree) to analyze the security of a system. Numerical values for the root node and intermediate nodes are calculated from the numerical values of their respective child nodes. A user input is not prompted in Schneier “for said resolution logic **based on a result of said analysing**,” emphasis added, as recited in independent claim 5. Thus, even assuming, arguendo, that Chigira and Schneier were combined, a combination thereof would fail to teach or suggest all the recitations of independent claim 5.

It is respectfully requested that independent claim 5 and related dependent claims be allowed.

*In the Office Action, at page 10, claims 15 and 19 are rejected under 35 U.S.C. § 103 in*

view of Chigira and U.S. Patent No. 6,470,323 to Suzuki ("Suzuki"). The rejection is traversed and reconsideration is requested.

The arguments presented above are incorporated herein to support the patentability of claims 15/5 and 19/5 over Chigira. Suzuki generally provides a goods management system that includes a customer utilization history memory storing historical information indicating the use of the goods sales management system by customers as well as customer information. See column 1, lines 39-67.

However, similarly to Chigira, nowhere in Suzuki is there a teaching or suggestion of "analyzing said **resolution logic included in said model program** in said data structure resolution unit corresponding to the selected data structure; and **prompting a user to input** said resolution information for said resolution logic **based on a result of said analysing**," emphasis added, as recited in independent claim 5. Suzuki limits its scope to the system accessing the memory and selects customers to whom a merchandising notice is sent on the basis of the historical information. The system then sends the notice at an appropriate timing to the customer over the communication line. Only selected ones of the customers receive the notices. A customer or user input is not prompted in Suzuki "for said resolution logic **based on a result of said analysing**," emphasis added, as recited in independent claim 5. Thus, even assuming, arguendo, that Chigira and Suzuki were combined, a combination thereof would fail to teach or suggest all the recitations of independent claim 5.

It is respectfully requested that independent claim 5 and related dependent claims be allowed.

#### **CONCLUSION:**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, the application is submitted as being in condition for allowance, which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner's contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

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If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: May 13, 2004

By:

A handwritten signature in cursive script, appearing to read "Alicia Choi", written over a horizontal line.

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